



THE UNITED STATES PATENT AND TRADEMARK OFFICE

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6-18-02

In re the application of: Mignot, *et al.*

Serial No.: 09/628,494

Filed: July 28, 2000

For: *Hypocretin Receptor In Regulation Of Sleep And Treatment of Sleep Disorders*

Attorney Docket No.: HPZ-017

Group Art Unit: 1634

Examiner: Souaya, J. E.

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Commissioner for Patents  
Washington, D.C. 20231

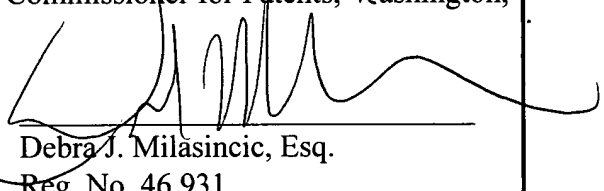
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May 28, 2002

Date of Signature and of Mail Deposit

By:

  
Debra J. Milasincic, Esq.  
Reg. No. 46,931  
Attorney for Applicants

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action dated February 25, 2002 (Paper No. 12). A separate petition for the appropriate extension of time in which to respond is being filed concurrently herewith.

The Examiner has required restriction to one of the following inventions under 35 U.S.C. §121:

Group I. Claims 1-3, 5-12, and 45, drawn to a method of detecting a predisposition to a disorder, classified in class 435, subclass 6; and

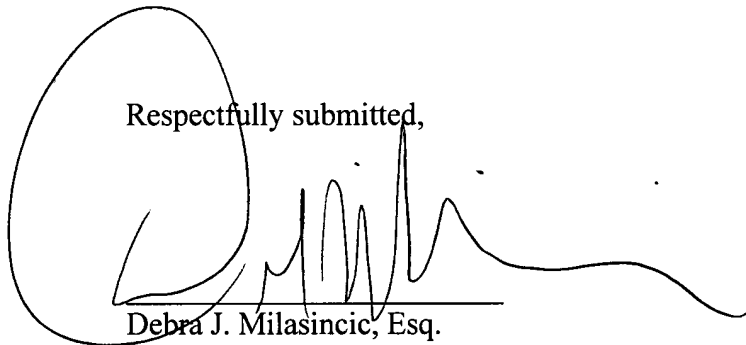
Group II. Claims 38-44, drawn to polynucleotides that hybridize to mutated canine hypocretin receptor nucleic acids, classified in class 536, subclass 23.1.

Applicants hereby elect the **Group I** invention (claims 1-3, 5-12, and 45) for prosecution in this application, *without traverse*. Applicants reserve the right to pursue the non-elected subject matter in one or more divisional applications, and reserve the right to traverse the restriction with respect to the non-elected subject matter.

#### SUMMARY

If a telephone conversation with Applicants' Attorney would expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' Attorney at (617) 227-7400.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Debra J. Milasincic', is written over a horizontal line. To the left of the signature is a large, hand-drawn oval.

Debra J. Milasincic, Esq.

Reg. No. 46,931

Attorney for Applicants

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Dated: May 28, 2002